

UNITED STATES DISTRICT COURTS
EASTERN DISTRICT OF TEXAS
DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
NOV 24 2021
BY
DEPUTY

Vilma M. Molina

Case Number: 9:21cv290
RC/CLS

Name of Plaintiff(s)

vs

ETECH GLOBAL SERVICES LLC,
ETECH TEXAS LLC, ETECH INC., NAGOGDOCHES CENTER LLC,

MATTHEW F. ROCCO
Name of Defendant(s)

COMPLAINT UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

Note: If plaintiff is alleging employment discrimination based on race or color, please also see 42:U.S.C. 1981

1. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is specifically conferred on the court by 42 U.S.C. 2000e-5. Equitable and other relief are also sought under 42 U.S.C. 2000e-5(g).

- 2.. Plaintiff, Vilma Molina, is a citizen of the United States
(name of plaintiff)

and resides at 2807 Pearl Street, Apt. 157, Nacogdoches
(street address) (city)

Nacogdoches, Tx., 75965, 210-238-3362
(county) (state) (zip) (telephone)

ETECH GLOBAL SERVICES LLC,
ETECH TEXAS LLC,
ETECH INC., NACOGDOCHES CENTER LLC,
MATHEW F. ROCCO

- 3.. Defendant, _____, resides at, or its business is
(name of defendant)

located at 1903 Berry Drive, Nacogdoches
(street address) (city)

Nacogdoches, Tx., 75965, 936-559-2200
(county) (state) (zip) (telephone)

4. Plaintiff sought employment from the defendant or was employed by the defendant

at 1903 Berry Drive, Nacogdoches
(street address) (city)

Nacogdoches, Texas, 75965
(county) (state) (zip)

5. Defendant discriminated against plaintiff in the manner indicated in paragraphs 9 and 10

of the complaint on or about 6/3/2019
(month, day, year)

6. Plaintiff filed charges against the defendant with the Equal Employment Opportunity Commission charging defendant with the acts of discrimination indicated in paragraphs 9 and 10 of this complaint on or about 3/10/2020
(month, day, year)

7. The Equal Employment Commission issued a Notice of Right to Sue which was received by plaintiff on 8/10/2021 and mailed it on 8/27/2021
(month day, year) See private suit rights attached.

8. Because of plaintiff's (1) _____ race, (2) _____ color, (3) _____ sex,

(4) ☒ national origin, defendant:

(5) ☒ retaliation

a. ☒ failed to employ plaintiff.

b. ☒ terminated plaintiff's employment.

c. _____ failed to promote plaintiff.

d. _____ Other demoted plaintiff

9. The circumstances under which the defendant discriminated against plaintiff were as follows:

The Plaintiff Vilma Molina is proceeding to represent herself in the Court. The Plaintiff aims to correct the unlawful employment practice of retaliation in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et. seq. ("Title VII"), and Title I of the Civil Rights Act of 1991, 42 U.S.C. § 1981a. This action seeks to provide appropriate relief to Plaintiff Vilma Molina, who was adversely affected by such practice. The Plaintiff contends Defendant ETECH GLOBAL SERVICES LLC, ETECH TEXAS LLC, ETECH INC., NACOGDOCHES CENTER, LLC, and MATTHEW F. ROCCO have discriminated against her by suspending and terminating her employment because she exercised her rights under Title VII by complaining to Human Resources about disparate treatment, harassment, and refusal to train, during her training. Disparate treatment, harassment, and refusal to train continued after training, and after being demoted by Veronica Chimney, Vice President Human Resources. Veronica Chimney ultimately construed my layoff which was a pretext to wrongful termination. On April 30, 2020, I met with Shelby Howell, PHR (Human Resource Manager) to complain about me being discriminated against on the basis of national origin, and how my national origin was the underlying reason why I was not being trained properly and was being treated in disparately with respect to my peers. As a result, Shelby Howell conducted an investigation with my peers about my complaint. Shelby Howell conducted the investigation with my peers within 2 weeks of April 30 2019, and she resigned 2 weeks after I complained to her about discrimination on the basis of national origin. Shelby Howell resigned on May 17, 2019. I complained to Shelby Howell, after I had tried to resolve this matter with my training supervisor. In this manner, I opposed an unlawful employment practice against me and participated in discrimination investigation. As a result of me participating in this discrimination investigation I suffered pretty much immediate retaliation by ETECH via Veronica Chimney, Vice President Human Resources, who ultimately construed my termination via layoff, for which she gave me multiple different reasons for my layoff. Veronica Chimney laid me off within one week of me following up with her about the results of my investigation. Veronica Chimney demoted me against my will, and while I was performing satisfactorily at my position. Once she changed my job position (demotion), she proceeded to construe my layoff. My demotion was within days of me meeting with her to discuss Shelby Howell investigation, and my layoff was within a week of me meeting with her to discuss the results of Shelby Howell's investigation about my discrimination complaint. After Shelby Howell resigned, Veronica Chimney took over my complaint, but Veronica Chimney ignored my complaint, my investigation, and within one week of me meeting with her about my investigation results laid me off as stated above. Additionally, I was qualified for the position I had and was hired for. Veronica Chimney also failed to rehire me after laying me off and offering to look another position for me. There was no reason for my demotion (change of job title) as I was performing satisfactorily at the time of my demotion. The Dismissal and Notice of Rights was mailed on August 27, 2021, by the Equal Employment Opportunity Commission (EEOC) via the EEOC Portal. The Plaintiff kept the Dismissal and Notice of Rights letter, and the envelope, to prove the record of receipt date. The Plaintiff filed a lawsuit with the U.S. District Court Eastern District of Texas on November 24, 2021.

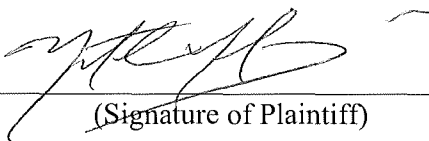
10. The acts set forth in paragraph 9 of this complaint:

- a. ☐ are still being committed by defendant.
- b. ☒ are no longer being committed by defendant.
- c. ☐ defendant may still be committing the acts.

11. Plaintiff attaches to this complaint a copy of the charges filed with the Equal Employment Opportunity Commission which charges are submitted as a brief statement of the facts supporting this complaint. WHEREFORE, Plaintiff prays that the Court grant the following relief to the plaintiff:

- a. ☐ Defendant be directed to employ plaintiff.
- b. ☒ Defendant be directed to re-employ plaintiff.
- c. ☐ Defendant be directed to promote plaintiff.
- d. ☐ Defendant be directed to pay back pay, front pay, punitive

and that the damages, other actions that would make plaintiff whole.
Court grant such relief as may be appropriate, including injunctive orders, damages, costs and attorney's fees.



(Signature of Plaintiff)